



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 20, 2007

The Honorable Martha Fuller Clark, Chairman
Energy, Environment and Economic Development Committee
Legislative Office Building Room 102
Concord, NH 03301

Re: SB 111, permitting a dam to be constructed on Lake Ivanhoe in the town of Wakefield

Dear Chairman Fuller Clark:

Thank you for the opportunity to testify on this bill, which would allow the Town of Wakefield or its designated agent to construct a dam on Lake Ivanhoe, a great pond of approximately 68 acres in Wakefield. RSA 482:7 requires both legislative authorization and a dam permit from the Department of Environmental Services for construction of a dam at this site because it will be a new dam on a great pond.

A dam needs to be constructed on Lake Ivanhoe to restore an outlet to the lake and reduce damages to shoreline property due to high lake levels that occur during periods of flood. A 1932 U.S. Geological Survey (USGS) topographic map of Lake Ivanhoe (also known as Round Pond or Little Round Pond) shows an outlet which flowed to Great East Lake, approximately one-half mile away. More recent USGS maps indicate that the outlet was eliminated at least 50 years ago, possibly due to road construction and other development, although natural causes, such as siltation and ice action on the shoreline of the lake, may have also contributed to the problem.

With no outlet to the lake, all the runoff that flows from its 350-acre drainage area raises the surface of the lake. Once the lake level has risen, it can only be lowered through the gradual processes of evaporation or infiltration into the ground. During floods like we have experienced in the past year and a half, the lake level rises so high that it flows over shorefront property, across the shoreland road on the southern side of the lake, and then overland, flooding more private property down to Great East Lake. After the May 2005 floods, this flooding condition continued for at least two months.

The only solution to this flooding problem is to construct a new outlet from the lake. However, since Lake Ivanhoe is a great pond, the construction of a new outlet must first be authorized by the Legislature pursuant to RSA 482:7.

Should the Legislature authorize this action, the town would not be required to build the dam. However, if the town wishes to proceed with construction, the town will need to obtain appropriate permits from the Department of Environmental Services for dam construction and wetland disturbance.

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If there are any questions regarding this testimony, please contact either me at 271-3503 or Jim Gallagher at 271-3406.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas S. Burack". A large red "COPY" stamp is overlaid diagonally across the signature.

Thomas S. Burack
Commissioner

cc: Senator Joseph D. Kenney
Representative William P. Denley
Representative James R. Martin